

BILL NO. 96-60

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

AS AMENDED

BILL NO. 96-60

Introduced by Council Member Glassman and cosponsored by Council Members
Chenowith, Decker and Shank and Council President Parrott

Legislative Day No. 96-31

Date November 19, 1996

AN ACT to add the definition of flexible design development, and to repeal and reenact, with amendment, the definition of special development regulations, all of Section 267-4, Definitions, of Article I, General Provisions of Part 1, Standards, of Chapter 267, Zoning; to repeal and reenact, with amendments, Section 267-36, R, R1, R2, R3 and R4 Urban Residential Districts, of Article VI, District Regulations, of Part 1, Standards, of Chapter 267, Zoning; to repeal and reenact, with amendments, Subsection A, Administrative Approval, of Section 267-43, Approval; to repeal and reenact, with amendments, Section 267-44, Applicability; to repeal and reenact, with amendments, Section 267-45, General Design Standards; to repeal and reenact, with amendments, Subsection B(2), Density, of Section 267-46, conventional development with open space (COS) and planned residential development (PRD); to add new Section 267-46.2, Flexible Design Development For Residential Districts, all of Article VII, Design Standards for Special Developments, of Part 1, Standards, of Chapter

By the Council, November 19, 1996

Introduced, read first time, ordered posted and public hearing scheduled
on: December 17, 1996
at: 7:00 p.m.

By Order: _____, Acting Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on December 17, 1996, and concluded on, December 17, 1996

James D. Vannoy, Acting Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. 96-60

AS AMENDED

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. _____

Introduced by _____

Legislative Day No. _____ Date _____

267, Zoning; to add new Table I: Principal Permitted Uses for Specific Zoning Districts: Residential: Flexible Design Developments, to Article XXII, General Provisions, of Part 7, Capital Improvement Program Map, of Chapter 267, Zoning, of the Harford County Code, as amended; to repeal and reenact, with amendments, paragraph b of Section 4.051, Improvements, of Section IV, Requirements for the Development of Land, of the Subdivision Regulations for Harford County, Maryland; to establish a new type of special development known as Flexible Design Development For Residential Districts; to establish certain general design standards for the new special development type; to provide for the districts in which the new development type may be used; to require the Zoning Administrator to approve the development; to provide for enforcement of the standards and requirements approved; to establish permitted uses for the development type; to establish certain open space requirements; to provide for certain exemption from the standards for road construction for the special development; to define certain terms; to require the Department of Planning and Zoning to establish certain guidelines; to require that certain restrictions be recorded in the land records of the County; to modify Table I: Principal Permitted Uses for Specific Zoning Districts; and generally relating to land development.

By the Council, _____

Introduced, read first time, ordered posted and public hearing scheduled

on: _____

at: _____

By Order: _____, Acting Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on, _____

_____, Acting Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates

1 Section 1. Be It Enacted By The County Council of Harford County, Maryland, That the
2 definition of flexible design development be, and it is hereby, added to Section 267-4, Definitions,
3 of Article I, General Provisions, of Part 1, Standards, of Chapter 267, Zoning, that the definition
4 of special development regulation, of Section 267-4, Definitions, of Article I, General Provisions,
5 of Part 1, Standards, of Chapter 267, Zoning, be, and it is hereby, repealed and reenacted, with
6 amendments, that Section 267-36, R, R1, R2, R3 and R4 Urban Residential Districts, of Article
7 VI, District Regulations, of Part 1, Standards, be, and it is hereby, repealed and reenacted, with
8 amendments, that Subsection A, Administrative Approval, of Section 267-43, Approval, of
9 Article VII, Design Standards for Special Developments, be, and it is hereby, repealed and
10 reenacted, with amendments, that Section 267-44, Applicability, of Article VII, Design Standards
11 for Special Developments , be, and it is hereby, repealed and reenacted, with amendments, that
12 Section 267-45, General Design Standards, of Article VII, Design Standards for Special
13 Developments, be, and it is hereby, repealed and reenacted, with amendments, that subsection
14 B(2), Density, of Section 267-46, Conventional development with open space (COS) and planned
15 residential development (PRD), of Article VII, Design Standards for Special Developments, be,
16 and it is hereby, repealed and reenacted, with amendment, all of Part 1, Standards, of Chapter
17 267, Zoning, that new Section 267-46.2, Flexible Design Developments for Residential Districts,
18 be, and it is hereby, added to Article VII, Design Standards for Special Developments, of Part 1,
19 Standards, of Chapter 267, Zoning, and that Table I: Principal Permitted Uses for Specific Zoning
20 Districts: Residential: Flexible Design Developments, be, and it is hereby, added to Article XXII,
21 General Provisions, of Part 7, Capital Improvement Program Map, all of the Harford County
22 Code, as amended, all to read as follows:

23 Chapter 267. Zoning.

24 Part 1. Standards.

25 Article I. General Provisions.

26 Section 267-4. Definitions.

27 For the purposes of this Part 1, the following words and phrases shall have the meanings provided
28 below:

29 FLEXIBLE DESIGN DEVELOPMENT- A RESIDENTIAL DEVELOPMENT THAT
30 PROVIDES A VARIETY OF DWELLING TYPES INTEGRATED WITHIN ONE

DEVELOPMENT THROUGH THE USE OF MODIFIED DESIGN REQUIREMENTS IN
ACCORDANCE WITH THE SPECIAL DEVELOPMENT REGULATIONS OF THIS PART 1.

Special Development Regulations- The provisions of this Part 1 which apply to the following types of development: conventional development with open space (COS), planned residential development (PRD), integrated community shopping center [(ICSC) and] (ICSC), mobile home developments (MHD) AND FLEXIBLE DESIGN DEVELOPMENT (FDD).

Article VI. District Regulations.

Section 267-36. R, R1, R2, R3 and R4 Urban Residential Districts.

A. Purpose. These districts are intended to accommodate urban residential needs by providing for a wide range of densities and building types where public water and sewer are available. Conventional development with open space [(COS) and] (COS), planned residential development (PRD) AND FLEXIBLE DESIGN DEVELOPMENT (FDD) are permitted where open space and environmental features are provided or preserved, except in the R District.

B. General regulations. Minimum lot area, area per dwelling or family unit, building setback from adjacent residential lot lines, lot width, front, side and rear yard and maximum building height, as displayed in Tables IIIA through VII, shall apply, subject to other requirements of this Part 1. A FLEXIBLE DESIGN DEVELOPMENT SHALL NOT BE SUBJECT TO MINIMUM LOT AREA, AREA PER DWELLING OR FAMILY UNIT, BUILDING SETBACK FROM ADJACENT RESIDENTIAL LOT LINES, LOT WIDTH, FRONT, SIDE AND REAR YARD AND MAXIMUM BUILDING HEIGHT, AS DISPLAYED IN TABLES IIIA THROUGH VII, BUT SHALL BE SUBJECT TO THE OTHER REQUIREMENTS OF THIS PART 1.

C. Specific regulations. The following uses are permitted, subject to the additional requirements below:

(1) Agriculture, on a lot of [two (2)] 2 acres or more provided that not more than [one (1)] 1 animal per acre shall be permitted. Agriculture shall be permitted as an interim use on any parcel pending its development for residential purposes, provided that all buildings associated with this use, including farmhouses, barns and silos, shall meet the required minimum setbacks for principal uses.

Number of	Setback From Adjacent
-----------	-----------------------

Animal Units	Residential Lot
	(feet)
1 to 2	100
3 to 10	150
11 or more	200

(2) Urban residential uses, with densities ranging from 1.0 to 14.0 dwelling units per gross acre, except high-rise apartment dwellings, which may be developed to a maximum density of 30.0 dwelling units per gross acre. The permitted density of development, the permitted dwelling unit types and design requirements shall depend upon whether the development is designed as a conventional development, conventional development with open space [(COS) or] (COS), planned residential development (PRD) OR FLEXIBLE DESIGN DEVELOPMENT (FDD).

(a) Conventional development. Conventional residential development shall be permitted as of right in all urban residential districts.

(b) Conventional development with open space (COS) and minimum parcel area. Conventional development with open space shall be developed in accordance with the provisions of Article VII. The conventional development with open space shall be permitted in urban Residential Districts R1, R2, R3 and R4, but not permitted in the R District. The minimum parcel areas (MPA) required shall be as follows:

MPA	
District	(acres)
R1	15
R2	10
R3	5
R4	5

(c) Planned residential development (PRD). The planned residential development shall be developed in accordance with the provisions of Article VII. The planned residential development shall be permitted only in R3 and R4 Districts.

(d) FLEXIBLE DESIGN DEVELOPMENT (FDD). THE FLEXIBLE DESIGN DEVELOPMENT SHALL BE DEVELOPED IN ACCORDANCE WITH THE PROVISIONS

OF ARTICLE VII. THE FLEXIBLE DESIGN DEVELOPMENT SHALL BE PERMITTED IN
R1, R2, R3 AND R4 DISTRICTS. THE MINIMUM PARCEL AREAS (MPA) REQUIRED
SHALL BE AS FOLLOWS:

MPA	
DISTRICT	(ACRES)
R1	15
R2	10
R3	5
R4	5

[(d)](e) Maximum density by district and type of development. The maximum density permitted
shall be as follows:

	Conventional	COS	PRD	FDD
District	(du/ga)	(du/ga)	(du/ga)	(DU/GA)
R	1.0	Not permitted	Not permitted	NOT PERMITTED
R1	1.8	2.0	Not permitted	2.0
R2	3.5	4.5	Not permitted	4.5
R3	5.0	7.0	10.0	7.0
R4	8.0	10.0	14.0	10.0

[(e)](f) Dwelling units per building block. A building block shall be a series of attached
dwellings. The number of dwelling units per building block shall be as follows:

Number of Dwelling[s] Units		
Per Building Block		
Dwelling Type	Minimum	Maximum
Semidetached dwelling	2	2
Patio/court/atrium dwelling	2	6
Multiplex dwelling	3	8
Townhouse dwelling, R2	3	4
Townhouse dwelling, R3/R4	3	8

1	Duplex dwelling	2	2
2	Row duplex dwelling	2	12
3	Garden apartment dwelling	4	36
4	Mid-rise apartment dwelling	8	60
5	High-rise apartment dwelling	8	80, except as
6			special excep-
7			tion
8	Cluster Townhouse	4	7
9	Carriage court unit	4	16

10 [(f)](g) Building block length.

11 (1) The maximum length of a building block shall not exceed the following:

12		Maximum	Maximum
13		Length	Length
14		Without	With
15		Offset	Offset
16	Building Block Type	(feet)	(feet)
17	Townhouse dwelling	75	160
18	Row duplex dwelling	75	160
19	Multiplex dwelling	75	160
20	Carriage Court Unit	75	300
21	Garden apartment dwelling	120	300
22	Mid-rise apartment dwelling	100	200
23	High-rise apartment dwelling	100	200
24	Cluster townhouse	100	125

25 (2) To exceed the maximum building block lengths provided herein, any building shall be
 26 subject to the following additional offsets for each [one hundred (100)] 100 feet or portion
 27 thereof:

28		Minimum	Minimum Sum
29	Height of Building	Offset	of Offset

30

1	(stories)	(feet)	(feet)
2	1 and 2	1½	4½
3	3	4	8
4	4 or more	4	12

5 [(g))(h) Distance between building blocks. The following minimum distances are
 6 established for townhouses, patio/court/atrium, multiplex, row duplex, garden, mid-rise and
 7 high-rise apartment building as follows:

8 Distance Between
 9 Building Blocks

10 Building Block Walls (feet)

11 Blank end wall to blank wall 20

12
 13 Blank end wall to window wall 30

14 Window wall to window wall, 30

15 townhouse

16 Window wall to window wall, 55, or a distance

17 other than townhouse or equal to the sum of

18 carriage court unit the height of the 2

19 buildings, whichever

20 is greater

21 Window wall to window wall, 40, if the length

22 carriage court unit of a window wall

23 is less than 60 feet,

24 and 60 feet if the length

25 of a window wall is

26 60 feet or greater

27 [(h))(I) Maximum building coverage. The maximum building coverage shall be as follows:

28 Maximum

29 Building Coverage

Dwelling Types (percent of total lot)

Patio/court/atrium, semidetached, 40

townhouse, multiplex and row

duplex and cluster townhouse

Garden, mid-rise and high-rise 30

apartments

[(I)](j) Impervious surface ratio. The maximum impervious surface for any urban residential project shall not exceed [sixty-five percent (65%)] 65% of the total parcel area.

[(j)](k) Variation in townhouse or multiplex width.

(1) In the R3 and R4 Districts, the permitted width of a townhouse or multiple dwelling may be reduced by a maximum of [four (4)] 4 feet for not more than [fifty percent (50%)] 50% of the townhouse or multiplex units in any development. In the R2 District, the permitted width of a townhouse or multiplex dwelling may be reduced by a maximum of [four (4)] 4 feet for not more than [twenty-five percent (25%)] 25% of the townhouse or multiplex units in any development.

(2) Where narrower units are provided, lot sizes, not yard sizes or setbacks, may be reduced proportionally. Such units shall be integrated into the overall design of the townhouse or multiplex development and shall be intermixed with other townhouses or multiplex units throughout the development.

[(k)](l) Variation in patio/court/atrium yard requirements. The front and rear yards required for the patio/ court/atrium building block may be waived when the following have been provided:

(1) An area for utility services in the road right-of-way.

(2) Private atriums or courts surrounded by buildings or enclosed walls totaling [twenty-five percent (25%)] 25% of the minimum lot requirement.

(3) All living spaces face the atriums or courts.

[(l)](m) Permitted dwelling units by lot. Types of dwelling units, for example, townhouse, lot line, single-family detached, shall be permitted only on lots for which specific approval is granted during subdivision review. Where no dwelling-unit type is specified, only single-family detached units shall be permitted.

[(m)](n) Multiplex dwellings and cluster townhouse. No detached accessory structures will be permitted in side or rear yards. Exterior storage shall be integrated in the design of the overall structure. Fencing shall be harmonious with the multiplex dwelling and shall be uniform in type and height. Said fencing shall be constructed in conjunction with the construction of the multiplex or cluster townhouse dwelling.

[(n)](o) Carriage court unit. Not more than 50% of carriage court unit building blocks proposed for a development shall contain the maximum number of dwelling units permitted for each building block.

(1) The following structures are permitted in accordance with the stated requirements:

(a) Fencing shall be harmonious with the dwelling and shall not exceed 4 feet in height across the front of the unit or 6 feet in height on the side(s) of the unit nor 8 feet in length on the side of the unit unless approval for a greater height is granted as specified in § 267-43A or B of this chapter;

(b) Detached accessory storage only as specified in the site plan approval; and

(c) Attached exterior storage, provided that the structure is integrated in the design of the overall dwelling and does not permit a direct means of access to the dwelling.

(2) All units shall be accessible to emergency vehicles by means of either a paved surface or alternative load-bearing way. The Chairperson of the Development Advisory Committee shall establish standards and specifications for the paved surface or load-bearing way.

(3) Vegetation shall not restrict access or passage of emergency vehicles.

(4) Prior to approval of a preliminary plan, including carriage court units, the Zoning Administrator shall forward the plan to the Harford County Volunteer Fire and Ambulance Association for review and comments.

(3) Conversion of existing single-family detached dwellings to accommodate not more than [two (2)] 2 dwelling units, subject to a minimum lot area of [five thousand (5,000)] 5000 square feet per dwelling unit. At least [one (1)] 1 of the units shall be occupied by the owner thereof. Parking on the site shall be provided at a minimum of [two (2)] 2 spaces per dwelling unit.

(4) Dwelling units, when on a permanent foundation.

(5) Rubble landfills are permitted in accordance with § 267-40.1 of this chapter

Article VII. Design Standards for Special Developments.

Section 267-43. Approval.

A. Administrative approval. The following special developments shall be subject to review and approval by the zoning administrator:

(1) Conventional with open space (COS).

(2) Conservation Development (CD).

(3) Housing for the elderly.

(4) Mobile home subdivision (MHS) in the R3 and R4 Districts only. At the time of submission of an application for approval of an MHS, the property owner shall notify all adjacent property owners of the intent to develop an MHS. In considering the application for an MHS, the Zoning Administrator must consider the limitations, guides and standards outlined in § 267-9I.

(5) FLEXIBLE DESIGN DEVELOPMENT (FDD).

Section 267-44. Applicability.

The development and design standards set forth in this Article shall regulate the following projects:

A. Conventional development with open space (COS).

B. Planned Residential Development (PRD).

C. Conservation development (CD).

D. Integrated community shopping center (ICSC).

E. Mobile home parks (MHP).

F. Mobile home subdivisions (MHS).

G. FLEXIBLE DESIGN DEVELOPMENT (FDD).

Section 267-45. General design standards.

The following general requirements shall be applicable to all projects developed under this Article:

A. The protection of trees shall be considered in determining the location of open space and development areas.

B. The project shall be designed to minimize earthmoving, erosion and the disturbance of environmentally sensitive features.

C. The road system shall be designed as harmonious with the topography and adjacent public

1 roads and designed to minimize through traffic in residential areas. A PROJECT DEVELOPED
2 AS A FLEXIBLE DESIGN DEVELOPMENT UNDER SECTION 267-46.2 SHOULD BE
3 DESIGNED TO ALLOW FOR A NETWORK OF ROADS WHICH INTERCONNECT
4 THROUGHOUT THE DEVELOPMENT.

5 D. Parking areas shall be arranged to prevent through traffic to other parking areas and shall be
6 screened from adjacent projects and through roads.

7 E. The project shall be served by public water supply and public sewerage disposal unless
8 developing under guidelines for the conservation development as in Section 267-46.1.

9 F. Lighting.

10 (1) All public roads and intersections and parking areas and areas of high pedestrian use shall
11 be adequately lighted and arranged to direct light away from residences.

12 (2) Freestanding signs may be floor-lit or spotlighted, provided that such lights are not directed
13 toward any road.

14 G. All other requirements of this Part 1 shall apply. In the event of a conflict with other sections
15 of this Part 1, the specific provisions of this Article shall apply.

16 H. Projects developed under this Article shall be consistent with the Subdivision Regulations.
17 Section 267-46. Conventional development with open space (COS) and planned residential
18 development (PRD).

19 B. Development standards.

20 (2) Density. Allowable densities are set forth in [§ 267-36C(2)(d)] SECTION 267-36C(2)(E)
21 SECTION 267- 46.2. FLEXIBLE DESIGN DEVELOPMENT FOR RESIDENTIAL
22 DISTRICTS.

23 A. PURPOSE.

24 TO PROVIDE FOR FLEXIBILITY IN MODIFYING HOUSING TYPES AND SITE
25 DESIGN STANDARDS. TO ALLOW INNOVATIVE DESIGNS THAT FOSTER A SENSE
26 OF COMMUNITY.

27 B. OBJECTIVES.

28 (1) TO PROMOTE THE CONCEPT OF COMMUNITY THROUGH THE DESIGN OF A
29 VARIETY OF HOUSING TYPES AND THE DEVELOPMENT OF ADEQUATE OPEN
30

1 SPACE.

2 (2) TO ENCOURAGE DESIGN FLEXIBILITY IN HOUSING TYPES AND THE
3 ARCHITECTURAL STYLE OF BUILDINGS WITHIN THE DEVELOPMENT.

4 (3) TO ASSURE COMPATIBILITY OF THE PROPOSED LAND USES WITH INTERNAL
5 AND SURROUNDING USES BY INCORPORATING DIFFERENT STANDARDS OF LAND
6 PLANNING AND SITE DESIGN THAN COULD BE ACCOMPLISHED UNDER
7 CONVENTIONAL ZONING CATEGORIES.

8 (4) TO PROVIDE FOR AN ENRICHED AND ENHANCED NATURAL ENVIRONMENT IN
9 A COMMUNITY BY THE PRESERVATION OF TREES, NATURAL TOPOGRAPHIC AND
10 GEOLOGICAL FEATURES, WETLANDS, WATERCOURSES AND OPEN SPACE.

11 (5) TO ENCOURAGE DEVELOPMENT IN A PHASED OR STAGED FASHION TO
12 ENSURE THE ADEQUACY OF THE PROVISION OF PUBLIC FACILITIES AND THE
13 CONCURRENT IMPLEMENTATION OF COMMUNITY AMENITIES.

14 C. ELIGIBILITY. A FDD SHALL HAVE A MINIMUM PARCEL SIZE OF 15, 10, 5 AND 5
15 ACRES IN THE R1, R2, R3 AND R4 DISTRICT, RESPECTIVELY.

16 D. DEVELOPMENT STANDARDS.

17 (1) PERMITTED USES. THE FOLLOWING USES SHALL BE PERMITTED:

18 (a) RESIDENTIAL USES SHALL BE ENTITLED TO BE DEVELOPED UNDER
19 FLEXIBLE DESIGN STANDARDS. PERMITTED USES INCLUDE SINGLE FAMILY
20 DETACHED DWELLINGS, SINGLE FAMILY ATTACHED DWELLINGS AND MULTIPLE
21 FAMILY DWELLINGS.

22 (b) THE FOLLOWING OPEN SPACE USES ~~WOULD~~ SHALL BE PERMITTED IN
23 CONJUNCTION WITH THE RESIDENTIAL DEVELOPMENT: COMMUNITY PARKS;
24 RECREATIONAL FACILITIES AND PLAYGROUNDS; BICYCLE PATHS; GREENS AND
25 SQUARES; OR LINKAGES TO REGIONAL RECREATION AND OPEN SPACE
26 SYSTEMS.

27 (c) INSTITUTIONAL USES THAT ARE PERMITTED WITHIN THE R1, R2, R3 AND R4
28 DISTRICT MAY BE INCORPORATED WITHIN A FLEXIBLE DESIGN DEVELOPMENT.

29 (2) IF THE ZONING ADMINISTRATOR APPROVES THE LOT STANDARDS, BUILDING
30 TYPES, YARD AND BUILDING SETBACKS, PARKING, STREET REQUIREMENTS AND

1 ANY OTHER DESIGN REQUIREMENTS NECESSARY FOR DEVELOPMENT OF THE
2 PROJECT, THE APPROVED STANDARDS AND REQUIREMENTS SHALL BE
3 ENFORCEABLE AS ANY OTHER STANDARD OR REQUIREMENT OF THIS PART 1.

4 ~~(2)~~ (3) DENSITY. ALLOWABLE DENSITIES ARE SET FORTH IN SECTION 267-
5 36C(2)(E).

6 ~~(3)~~ (4) SITE DESIGN.

7 (a) THE PROJECT SHALL BE DESIGNED WITH REGARD TO ESTABLISHING
8 DISTINCTIVE RESIDENTIAL NEIGHBORHOODS THAT ARE DEFINED BY SPECIAL
9 PLACES AND BUILDINGS RATHER THAN HOMOGENOUS HOUSING TYPES.

10 (b) THE PROJECT SHALL BE DESIGNED TO PROVIDE A VARIETY OF HOUSING
11 TYPES AND OPEN SPACE USES TO ACHIEVE A BALANCED AND INTEGRATED
12 COMMUNITY. ~~FOR FAMILIES OF VARYING AGES, SIZES AND LEVELS OF INCOME.~~
13 A VARIETY OF HOUSING TYPES ARE NOT REQUIRED IN THE R1 DISTRICT.

14 (c) THE PROJECT SHALL BE DESIGNED WITH ADEQUATE BUFFERS TO MINIMIZE
15 THE VISUAL IMPACT OF THE PROPOSED PROJECT TO ADJOINING PROPERTIES.

16 (d) THE PROJECT DESIGN AND ARRANGEMENT OF BUILDINGS, STREETS, OPEN
17 SPACE, LANDSCAPING AND OTHER ELEMENTS SHOULD EMPHASIZE, ENHANCE
18 AND INCORPORATE SCENIC VIEWS, EXISTING SLOPES, FORESTS, GEOLOGICAL
19 FEATURES, WETLANDS, STREAMS, AND OTHER NATURAL FEATURES OF THE
20 SITE.

21 (e) THE PROJECT SHOULD BE DESIGNED SO THAT ACTIVE RECREATIONAL AREAS
22 ARE SUITABLY LOCATED AND ACCESSIBLE TO THE RESIDENTIAL DWELLINGS
23 AND ADEQUATELY SCREENED TO ENSURE PRIVACY AND QUIET FOR ADJOINING
24 RESIDENTIAL USES.

25 (f) THE DESIGN OF THE DEVELOPMENT SHOULD BE COMPATIBLE WITH AND
26 SENSITIVE TO THE IMMEDIATE ENVIRONMENT OF THE SITE AND
27 NEIGHBORHOOD RELATIVE TO ARCHITECTURAL DESIGN, SCALE, BULK,
28 BUILDING HEIGHT, AND SETBACKS.

29 (g) THE SITE DESIGN SHALL PROVIDE FOR SCREENING, SIGHTBREAKS AND
30 BUFFERS BETWEEN THE BUILDINGS ON THE SITE AND ADJACENT BUILDINGS OF

1 DIFFERENT ARCHITECTURAL STYLES.

2 (h) THE PROJECT SHALL BE DESIGNED SO THAT THE TRAFFIC GENERATED BY
3 THE DEVELOPMENT DOES NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE
4 SURROUNDING DEVELOPMENT.

5 (i) TO PROTECT THE PUBLIC SAFETY, THE DESIGN OF THE PROJECT SHALL
6 PROVIDE THAT ALL UNITS BE ACCESSIBLE TO EMERGENCY VEHICLES BY MEANS
7 OF A PAVED SURFACE OR LOAD-BEARING WAY. THE CHAIRPERSON OF THE
8 DEVELOPMENT ADVISORY COMMITTEE SHALL ESTABLISH STANDARDS AND
9 SPECIFICATIONS FOR THE PAVED SURFACE OR LOAD-BEARING WAY.

10 ~~(4)~~ (5) VEHICULAR CIRCULATION AND ACCESS.

11 (a) THE PROJECT SHOULD BE DESIGNED SO THAT OFF-STREET PARKING AND
12 GARAGES ARE VISUALLY UNOBTRUSIVE.

13 (b) THE PROJECT SHALL PROVIDE FOR A THROUGH NETWORK OF ROADS THAT
14 ALLOWS FOR CIRCULATION AND COMMUNITY INTEGRATION.

15 (c) THE PROJECT SHALL BE DESIGNED SO THAT WHEN THE ON-STREET AND OFF-
16 STREET PARKING AREAS ARE IN USE, THE ACCESS OF EMERGENCY VEHICLES IS
17 NOT IMPEDED.

18 ~~(5)~~ (6) OPEN SPACE.

19 (a) IN A FLEXIBLE DESIGN DEVELOPMENT OPEN SPACE SHALL BE PROVIDED AS
20 FOLLOWS:

DISTRICT	MINIMUM OPEN SPACE (PERCENT OF PARCEL AREA)
R1	10%
R2	10%
R3	15% (FOR SINGLE FAMILY ATTACHED OR DETACHED)
R3	20% (FOR ALL OTHER DWELLING TYPES)
R4	20%

28 (b) ADEQUATE RECREATIONAL FACILITIES SHALL BE PROVIDED IN EACH PHASE
29 OF DEVELOPMENT TO MEET THE NEEDS OF THE RESIDENTS.

30 (c) OPEN SPACE AREAS SHALL BE DESIGNED TO ACCOMMODATE A VARIETY OF

1 ACTIVITIES AND PROVIDE FOR THE NEEDS OF DIFFERENT GROUPS OF
2 INDIVIDUALS.

3 ~~(d) ALL OPEN SPACE SHALL BE PROVIDED PURSUANT TO SECTION 267-29 OF THIS~~
4 ~~PART 1.~~ (d) ALL OPEN SPACE SHALL BE PROVIDED PURSUANT TO SECTION 267-29
5 (A) AND (B) OF THIS PART 1. THE PROVISIONS OF SECTION 267-29 (C) SHALL NOT
6 BE APPLICABLE TO A FLEXIBLE DESIGN DEVELOPMENT.

7 ~~(6) (7)~~ SPECIFIC REQUIREMENT REQUIREMENTS
8 PRIOR TO OR AT THE TIME OF RECORDATION OF A PLAT FOR A FLEXIBLE DESIGN
9 DEVELOPMENT SUBDIVISION IN THE LAND RECORDS OF THE COUNTY, THE
10 OWNER SHALL ALSO RECORD ALL USE AND DEVELOPMENT RESTRICTIONS THAT
11 THE SUBDIVISION IS SUBJECT TO UNDER THE APPROVED PRELIMINARY PLAN.
12 THE SUBDIVISION RESTRICTIONS SHALL BE REVIEWED AND ACCEPTED BY THE
13 DEPARTMENT OF LAW PRIOR TO RECORDATION TO ENSURE THAT ALL LOTS
14 CREATED ON THE PROPERTY WILL BE SUBJECT TO ALL THE RESTRICTIONS.

15 Section 2. And Be It Further Enacted, That paragraph b, of Section 4.051, Improvements, of
16 Section IV, Requirements for the Development of Land, of the Subdivision Regulations for
17 Harford County, Maryland, be, and it is hereby, repealed and reenacted, with amendments, all to
18 read as follows:

19 Section IV. Requirements For The Development of Land.

20 4.051 Improvements.

21 b. Construction of access road. EXCEPT FOR FLEXIBLE DESIGN DEVELOPMENTS, [Any]
22 ANY new or existing road right-of-way or access way, leading from an existing County or State
23 road to the proposed project and all internal roads, including stub roads, shall be constructed or
24 improved to the prescribed width and road construction, as set forth in the Subdivision
25 Regulations of Harford County and the Harford County Road Construction Code and Standard
26 Specifications. FOR PROJECTS DEVELOPED AS FLEXIBLE DESIGN DEVELOPMENTS,
27 ANY NEW OR EXISTING ROAD RIGHT-OF-WAY OR ACCESS WAY, LEADING FROM
28 AN EXISTING COUNTY OR STATE ROAD TO THE PROPOSED PROJECT SHALL BE
29 CONSTRUCTED OR IMPROVED TO THE PRESCRIBED WIDTH AND ROAD
30 CONSTRUCTION SPECIFIED WITHIN THE SUBDIVISION REGULATIONS AND THE

COUNTY ROAD CONSTRUCTION CODE. THE INTERNAL ROADS OF A PROJECT DEVELOPED AS A FLEXIBLE DESIGN DEVELOPMENT MAY BE CONSTRUCTED OR IMPROVED TO SPECIFICATIONS DIFFERENT THAN THOSE CONTAINED IN THE SUBDIVISION REGULATIONS OR THE ROAD CONSTRUCTION CODE PROVIDED THAT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS HAS APPROVED THE SPECIFICATIONS OF THE INTERNAL ROADS AS SUBMITTED BY THE DEVELOPER. ALL LOCAL ROADS WITHIN A FLEXIBLE DESIGN DEVELOPMENT THAT ARE BUILT TO THE SPECIFICATIONS APPROVED BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS SHALL BE CONSIDERED TO BE PART OF THE COUNTY ROAD SYSTEM AND SHALL NOT BE CONSIDERED TO BE PRIVATE ROADS.

Section 3. And Be It Further Enacted, That the Director of Planning and Zoning shall develop guidelines detailing the information required to be submitted for review of a proposed development as a flexible design development. These guidelines shall be submitted within 90 calendar days of the effective date of this Act for approval by the County Council.

Section 4. And Be It Further Enacted, That this Act shall take effect 60 calendar days from the date it becomes law.

EFFECTIVE DATE: March 11, 1997

Harford County
 Table I: Principal Permitted Uses for Specific Zoning Districts
 Residential - FLEXIBLE DESIGN DEVELOPMENT

Use Classification Residential: FLEXIBLE DESIGN DEVELOPMENT	Zoning Districts															
	AG	RR	R	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	C1	G1	ORI
Single-family detached dwellings				SD	SD	SD	SD									
Single-family attached dwellings					SD	SD	SD									
Multi-family dwellings					SD	SD	SD									

KEY: "P" indicates permitted subject to applicable code requirements

"SD" indicates permitted subject to special-development regulations, pursuant to Article VII.

"SE" indicates permitted subject to special-exception regulations, pursuant to Article VIII.

"I" indicates permitted subject to temporary-use regulations, pursuant to §267-27.

A blank cell indicates that the use is not permitted.

HARFORD COUNTY BILL NO. 96-60 (as amended)(Brief Title) Flexible Design Developments

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James D. Vannoy
Acting Council AdministratorJoanne S. Parriot
President of the CouncilDate January 7, 1997Date 1/7/97

BY THE COUNCIL

Read the third time.

Passed: LSD 97-1 (January 7, 1996)

Failed of Passage: _____

By Order

James D. Vannoy
Acting Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 9th day of January, 1997 at 3:00 p. m.

James D. Vannoy
Acting Council Administrator

BY THE EXECUTIVE

Edith M. Redemann
COUNTY EXECUTIVEAPPROVED: Date January 10, 1997

BY THE COUNCIL

This Bill (No. 96-60, as amended), having been approved by the Executive and returned to the Council, becomes law on January 10, 1997.

EFFECTIVE DATE: March 11, 1997

James D. Vannoy
Acting Council Administrator